

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86272 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- PIPRA District- East Champaran

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1. SURESH SAH S/O RAJENDRA SAH R/o vill - Jahangira Missa Tola, P.s. - Pipra, Distt- East Champaran
 2. Vikash Kumar S/o Suresh Sah R/o vill - Jahangira Missa Tola, P.s. - Pipra, Distt- East Champaran
 3. Dasrath Sah S/o Ramdhari Sah R/o vill - Jahangira Missa Tola, P.s. - Pipra, Distt- East Champaran
 4. Daroga Sah S/o Dasrath Sah R/o vill - Jahangira Missa Tola, P.s. - Pipra, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-01-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Pipra Police Station Case No. 166 of 2024, dated 23.06.2024, disclosing offences punishable under Sections 341/323/324/354/307/509/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 14.06.2024, in the evening, when the informant had gone outside her house, co-accused Ramayan Sah



dashed the informant and attempted to outrage her modesty. The informant, after saving herself, came back to her home and narrated the incident, upon which her family members went to the house of co-accused Ramayan Sah to make an enquiry. The petitioners, along with other co-accused persons, assaulted the informant's mother, Kabutari Devi, her aunt, Chinta Devi and grandmother, due to which they sustained injuries.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the ground of quarrel between their children inasmuch as both the parties are co-villagers and next door neighbour. The injuries caused to the mother of the informant, Kabutari Devi, is simple in nature, as would be evident from Annexure 2 to this application. The injuries caused to other victims have not been brought on record by the prosecution and has also not been referred to in the impugned order. He further submits that there is nine days' delay in lodging the present First Information Report.
5. On the other hand, learned Additional Public Prosecutor argues that as per the First Information Report, there is



specific allegation that due to assault made by the petitioners, the grandmother of the informant sustained fracture injury on her hand.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-villagers and next door neighbours, there is nine days' unexplained delay in lodging the First Information Report and the informant's mother has sustained simple injuries and the injuries caused to other victims have not been brought on record by the prosecution, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Motihari, East Champaran, in connection with Pipra Police Station Case No. 166 of 2024, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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